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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,226	09/30/2003	Bruce B. Roesner	16165-004001	7655
20985	7590	02/08/2005	EXAMINER	
FISH & RICHARDSON, PC 12390 EL CAMINO REAL SAN DIEGO, CA 92130-2081			TRIEU, VAN THANH	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/676,226	ROESNER, BRUCE B.	
	Examiner	Art Unit	
	Van T Trieu	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 2, 4-8, 11-17 and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Wyenne et al** [US 4,394,655] in view of **Stevenson** [US 6,456,481]. Regarding claim 1, the claimed first and second conductive paths for receiving sensing signals from the one or more RFID sensing transceiver (the first and second conductive paths 11, 12 are for receiving of detected signals from one of the RF transponders 15, see Figs. 1, 2 and 9, col. 1, lines 59-68, col. 2, lines 1-5 and 40-68, col. 3, lines 1-14 and col. 4, lines 52-68); and the controller for providing a carrier signal on the first and second conductive paths, and for receiving the signals from the first and second conductive paths (the controller 16, see Figs. 2-3, col. 2, lines 55-68 and col. 3, lines 1-53); but **Wyenne et al** fails to disclose the RFID sensing transceivers. However, **Wyenne et al** teaches that the RF detecting transponders 15 having IC1 for controlling to detect a predetermined conditions such as the presence of particles of combustion, or of a fire, or of an increase in temperature. The detected signals are communicated to the control panel 13 with controller 15, which identify each of the RF detecting transceivers by their unit addresses, see Figs. 1-3, 5 and 9, col. 1, lines 6-8 and 66-68,

Art Unit: 2636

col. 2, lines 1-12 and 55-68. Stevenson suggests that the electronic devices such as EAS or RFID being used as implanting medical device applications, security system or retail stores to feedback of detected/sensed signals to a central monitoring, see col. 5, lines 32-59, col. 16, lines 61-67 and col. 17, lines 1-4. Therefore, it would have been obvious to one skill in the art at the time the invention was made to recognize that the RF detecting transponder of **Wyenne et al** is functionally equivalent to the RFID of **Stevenson** because it is made of integrated circuit IC for transmitting/receiving the detected/sensed signal over a radio frequency signal having unit identification code for identifying each of the RFID.

Regarding claim 2, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claim 1 above, see Fig. 1.

Regarding claim 4, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claim 1 above.

Regarding claim 5, **Wyenne et al** fails to disclose the sensing signals are capacitive-coupled from the RFID sensing transceivers to the first and second conductive paths. However, according to the combination of the RFID detecting transponders between **Wyenne et al** and **Stevenson** in respect to claim 1 above, and furthermore **Stevenson** teaches that the RFID is provided with capacitive coupling at each of the electrode blade set 2224, which is designed to connect to the five lead wires 2254 going to the

Art Unit: 2636

inside of the RFID implanting medical device for eliminating of electromagnetic interference EMI and to block DC signal, see Fig. 105, col. 16, lines 61-67, col. 17, lines 1-4 and col. 21, lines 55-64. Therefore, it would have been obvious to one skill in the art at the time the invention was made to implement the capacitive coupling of **Stevenson** to the conductive coupling of **Wyenne et al** for reducing and minimizing of EMI and to block of DC signal onto the detected signals in order to prevent of errors and failures of the RFID detecting transponders.

Regarding claim 6, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claim 1 above, and the stimulus perceived by the RFID sensing transceivers, which reads upon the biological, cardiac, retail store and/or temperature being sensed/detected by the RFID transponders.

Regarding claim 7, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claim 6 above.

Regarding claim 8, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claims 1 and 5 above.

Regarding claim 11, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claims 5, 6 and 8 above.

Art Unit: 2636

Regarding claim 12, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claims 1 and 11 above.

Regarding claim 13, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claims 7 and 11 above.

Regarding claim 14, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claims 2 and 8 above.

Regarding claim 15, the method claimed limitations are met by the discussions between **Wyenne et al** and **Stevenson** in respect to claims 1 and 5 above.

Regarding claim 16, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claim 15 above.

Regarding claim 17, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claim 1 above, and the signal reader, which reads upon the control panel for receiving of the detected signals from each of the RFID detecting transponders 15, see Fig. 1.

Regarding claim 20, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claims 1 and 5 above.

Art Unit: 2636

Regarding claim 21, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claim 20 above, and including the IC1 and detector 56 such as an ionization detector and an obscuration detector, see Figs. 8 and 9.

Regarding claim 22, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claims 1 and 21 above, see Fig. 1.

Regarding claim 23, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claim 22 above, and including the external reader (the recorder 186, see Fig. 7; and the antenna, which reads upon the lead wires or conducting wires, which effectively act as an antenna, see col. 2, lines 35-39 of **Stevenson**.

Regarding claim 24, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** in respect to claims 21 and 22 above.

2. Claims 3, 9, 10, 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Wyenne et al** and **Stevenson** and further in view of **Bogascki et al** [US 4,135,181].

Regarding claim 3, **Wyenne et al** fails to disclose the controller includes an oscillator for providing AC signal for the carrier signal. However, **Wyenne et al** teaches that the

Art Unit: 2636

electrical power supply is passed over the pair conductors 17, 18 to each of the RFID detecting transceivers 15 by a signal/power separator 45, see Figs. 2, 3 and 8, col. 3, lines 46-50 and col. 6, lines 4-15. **Bogascki et al** suggests that an automatic meter reading and control system for communication between the section control unit SCU 16 and the remote terminal points/transponders MTU 20 over the AC power lines 18. The SCU 16 comprises a crystal oscillator 448 for providing RF signal messages on the power line 18. See Figs. 1, 13B and 14A, col. 21, lines 52-68, col. 22, lines 1-13 and col. 29, lines 20-17. Therefore, it would have been obvious to one skill in the art at the time the invention was made to substitute the SCU with oscillator of **Bogascki et al** for the signal/power separator of **Wyenne et al** and **Stevenson** for separating RF signals from AC power signal being sending over the conducting wires.

Regarding claim 9, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** and **Pogascki et al** in respect to claims 3 and 8 above.

Regarding claim 10, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** and **Pogascki et al** in respect to claims 3 and 9 above.

Regarding claim 18, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** and **Pogascki et al** in respect to claims 3 and 16 above.

Art Unit: 2636

Regarding claim 19, all the claimed subject matters are discussed between **Wyenne et al** and **Stevenson** and **Pogascki et al** in respect to claim 18 above, and the carrier signal includes a frequency between 50 and 100 MHz, see col. 17, lines 1-4 of **Stevenson**.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Volt discloses a communication system in which a controller ordinarily polls addressable transponders connected between two lines of a communication path.

[US 4,742,335]

Raber et al discloses a fire detection system including a single conductor pair for both supplying the energizing voltage to all of the fire detectors and receiving back status information regarding the individual detector operation. [US 4,287,515]

4. Any inquiry concerning this communication or earlier communications from examiner should be directed to primary examiner **Van Trieu** whose telephone number is (571) 272-2972. The examiner can normally be reached on Mon-Fri from 7:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. **Jeffery Hofsass** can be reached on (571) 272-2981.

Art Unit: 2636

A handwritten signature in black ink, appearing to read 'Van Trieu', with a long horizontal flourish extending to the right.

Van Trieu
Primary Examiner
Date: 2/4/05